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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 BENJAMIN JOSHUA KALLBERG,
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11 Petitioner,
12 v.
13 UNITED STATES OF AMERICA,
14 Respondent.

Case No. 2:17-CR-196-RSL

ORDER GRANTING
DEFENDANT'S MOTION
FOR EARLY
TERMINATION

15 This matter comes before the Court on petitioner Benjamin Joshua Kallberg's motion for
16 early termination of supervised release. Dkt. #5.

17 In October 2011, Mr. Kallberg pleaded guilty to one count of Possession with Intent to
18 Distribute Methylenedioxymethamphetamine (MDMA), in violation of 21 U.S.C. §§ 841(a)(1)
19 and 841(b)(1)(C). Dkt. #2-1. He was sentenced on February 29, 2012 to 97 months followed by
20 3 years of supervised release. Dkt. #2-2. His prison term was later reduced to 78 months. Dkt.
21 #2-3 at 7. His supervised release term commenced on February 21, 2017 and is set to expire on
22 February 20, 2020. Dkt. #1. On August 21, 2017, probation jurisdiction was transferred from the
23 Middle District of Florida to the Western District of Washington. Id.

24 Mr. Kallberg filed his first motion for early termination of supervised release on
25 September 14, 2018. Dkt. #3. The Court denied his motion, but "encourage[d] him to continue
26 his excellent behavior, and to re-apply for early termination after completing two full years of
27 supervised release; i.e., any time after February 20, 2019." Dkt. #4.
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1 A court “may, after considering the factors set forth in [18 U.S.C. § 3553(a)] ... terminate
2 a term of supervised release and discharge the defendant released at any time after the expiration
3 of one year of supervised release... if it is satisfied that such action is warranted by the conduct
4 of the defendant released and the interest of justice.” 18 U.S.C. § 3583(e). The Court enjoys
5 “discretion to consider a wide range of circumstances when determining whether to grant early
6 termination.” United States v. Emmett, 749 F.3d 817, 819 (9th Cir. 2014) (citing United States
7 v. Pregent, 190 F.3d 279, 283 (4th Cir. 1999)).

8 The Court is pleased to learn that Mr. Kallberg has continued to do well under supervised
9 release. He is still working for Evergreen Ford Lincoln in Issaquah and has reconnected with his
10 family. Dkt. #5 at 2. The Probation Office also indicated that he continues to test negative for
11 illicit substances. Mr. Kallberg is entitled to an early termination of his supervised release for his
12 commendable behavior and successful reentry into society. See Emmett, 749 F.3d at 819.

13 For all the foregoing reasons, Mr. Kallberg’s motion is GRANTED. It is hereby
14 ORDERED that his term of supervised release is TERMINATED.

15 DATED this 29th day of April, 2019.

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19 Robert S. Lasnik
20 United States District Judge
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